

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Jabari Mann

Write the full name of each plaintiff.

19 CV 8009
No. (To be filled out by Clerk's Office)

-against-

New York County

Tony Durante

COMPLAINT
(Prisoner)

Do you want a jury trial?

Yes No

Write the full name of each defendant. If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section IV.



NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

I. LEGAL BASIS FOR CLAIM

State below the federal legal basis for your claim, if known. This form is designed primarily for prisoners challenging the constitutionality of their conditions of confinement; those claims are often brought under 42 U.S.C. § 1983 (against state, county, or municipal defendants) or in a "Bivens" action (against federal defendants).

Violation of my federal constitutional rights

Other: _____

II. PLAINTIFF INFORMATION

Each plaintiff must provide the following information. Attach additional pages if necessary.

Jabari	Mann	
First Name	Middle Initial	Last Name

None

State any other names (or different forms of your name) you have ever used, including any name you have used in previously filing a lawsuit.

None

Prisoner ID # (if you have previously been in another agency's custody, please specify each agency and the ID number (such as your DIN or NYSID) under which you were held)

Clinton Correctional Facility

Current Place of Detention

Box 2001

Institutional Address

Dannemora	New York	12929
County, City	State	Zip Code

III. PRISONER STATUS

Indicate below whether you are a prisoner or other confined person:

- Pretrial detainee
- Civilly committed detainee
- Immigration detainee
- Convicted and sentenced prisoner
- Other: _____

IV. DEFENDANT INFORMATION

To the best of your ability, provide the following information for each defendant. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are identical to those listed in the caption. Attach additional pages as necessary.

Defendant 1: New York County

First Name	Last Name	Shield #
Current Job Title (or other identifying information)		
<u>Law Department, 100 Church Street</u>		
Current Work Address		
<u>New York</u>	<u>NY</u>	<u>10007</u>
County, City	State	Zip Code

Defendant 2:

<u>Manhattan Detention Complex , Tony Durante</u>		
First Name	Last Name	Shield #
<u>Warden</u>		
Current Job Title (or other identifying information)		
<u>125 White Street</u>		
Current Work Address		
<u>New York,</u>	<u>NY</u>	<u>10013</u>
County, City	State	Zip Code

Defendant 3:

First Name	Last Name	Shield #
Current Job Title (or other identifying information)		
Current Work Address		
County, City	State	Zip Code

Defendant 4:

First Name	Last Name	Shield #
Current Job Title (or other identifying information)		
Current Work Address		
County, City	State	Zip Code

V. STATEMENT OF CLAIM

Place(s) of occurrence: New York County Court, Manhattan Detention Complex

Date(s) of occurrence: January 17, 2017

FACTS:

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and how each defendant was personally involved in the alleged wrongful actions. Attach additional pages as necessary.

On January 17, 2017 Detectives came to my mother's house at 218 E. 115 Street, Apt. #1A New York, NY 10029 with an arrest warrant and told me that I have to come to the police because of a fight that happen in back of Jefferson Park last week. Once I got to the police I was informed that I was being arrested for robbery. I was then put in a lineup with other police officers and was told that i was picked out as the person that committed the robbery. I was taken to the Manhattan Detention Complex where I stay for 45 days. I was released on the robbery charge on February 28, 2017, and in August of 2017 the robbery charge was dismissed.

INJURIES:

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

None

VI. RELIEF

State briefly what money damages or other relief you want the court to order.

The constitutional basis for this claim under 42 U.S.C. §1983 is False arrest and Malicious Prosecution. The relief I am seeking for this claim is compensatory damages for being falsely arrested and malicious prosecution and for the suffering I have endured from being away from my family for 41 days due to my false arrest without my consent. I am suing the County of New York for \$100,000, and the Manhattan Detention Complex for \$50,000 for their role in violating my federal constitutional rights.

VII. PLAINTIFF'S CERTIFICATION AND WARNINGS

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I understand that if I file three or more cases while I am a prisoner that are dismissed as frivolous, malicious, or for failure to state a claim, I may be denied *in forma pauperis* status in future cases.

I also understand that prisoners must exhaust administrative procedures before filing an action in federal court about prison conditions, 42 U.S.C. § 1997e(a), and that my case may be dismissed if I have not exhausted administrative remedies as required.

I agree to provide the Clerk's Office with any changes to my address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

August 21, 2019

Dated

Jabari

First Name

Middle Initial

Last Name

Clinton Correctional Facility

Prison Address

Dannemora

NY

12929

County, City

State

Zip Code



Plaintiff's Signature

Mann

Date on which I am delivering this complaint to prison authorities for mailing: August 21, 2019

Jabari Mann #18-R-0906
Clinton Correctional Facility
Box 2001
Dannemora, New York 12929

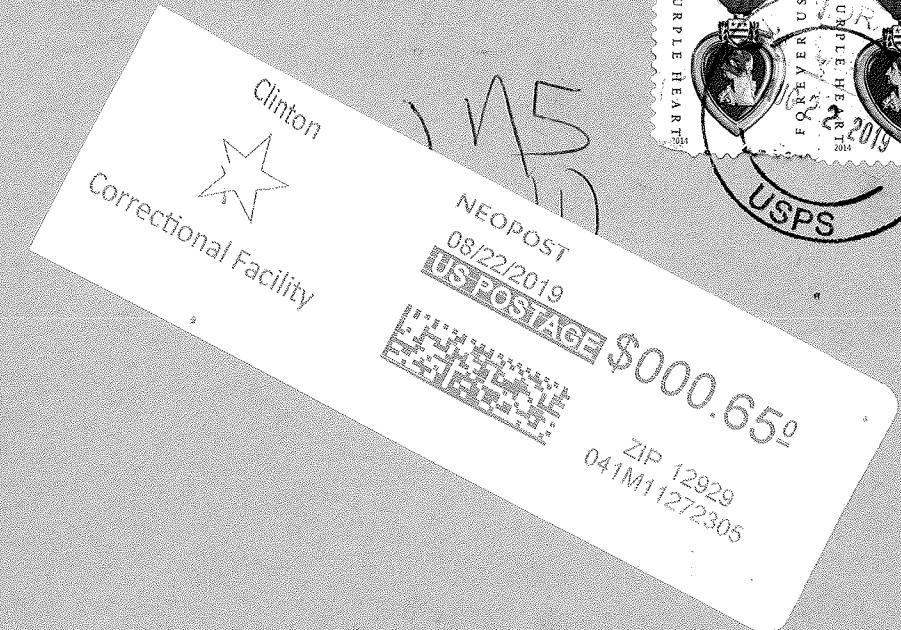
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U.S. Courthouse
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New York, NY 10007



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ALBANY, NEW YORK